

FOURTH DAY.

Senate Chamber,
Austin, Tex., Friday, Jan. 11, 1901.

Senate met pursuant to adjournment.
Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—24.

Beaty.	Paulus.
Davidson of	Potter.
DeWitt.	Savage.
Davidson of	Sebastian.
Galveston.	Stafford.
Goss.	Staples.
Grinnan.	Swann.
Harris of Bexar.	Turner.
James.	Turney.
Lloyd.	Wayland.
McGee.	Wheeler.
Neal.	Wilson.
Patterson.	Yett.

Absent.

Hanger.	Lipscomb.
Harris of Hunt.	Miller.
Johnson.	Odell.

Absent—Excused.

Dibrell.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Turner, the same was dispensed with.

EXCUSED.

On motion of Senator Davidson of Galveston, Senator Lipscomb was excused from attendance upon the Senate until Monday morning, on account of important business.

On motion of Senator Stafford, Senator Harris of Hunt was excused from attendance upon the Senate until Monday morning, on account of important business.

On motion of Senator Beaty, Senator Miller was excused from attendance upon the Senate today on account of important business.

PETITIONS AND MEMORIALS.

The Chair had read a memorial from Fred O. McFall and one hundred and four other citizens of Dickens county praying for the passage of an act to authorize the issuance of patents to settlers on vacant lands who located thereon in good faith prior to May 23, 1898, where the only irregularity was a failure to

have proper field notes filed in the General Land Office prior to that date.

Read, and referred to Committee on Lands and Land Office.

COMMITTEE REPORT.

Austin, Texas, Jan. 10, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 20, being a bill to be entitled "An Act to reorganize the Twenty-eighth Judicial District, transferring the county of Duval from the Forty-ninth to the Twenty-eighth Judicial District, and fixing the times of holding the terms of the district court therein,"

And find the same correctly engrossed.

BEATY, Chairman.

BILLS AND RESOLUTIONS.

By Senator McGee:

Senate bill No. 23, A bill to be entitled "An Act regulating the granting of injunctions."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Savage:

Senate bill No. 24, A bill to be entitled "An Act to amend Article 402, of Chapter 6, of Title XI, of the Penal Code of the State of Texas, relating to the penalty for selling intoxicating liquors in prohibition districts."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Staples:

Senate bill No. 25, A bill to be entitled "An Act to define civil libel, slander and defamation of character; defining privileged communications; providing for rules of evidence therein."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Grinnan:

Senate bill No. 26, A bill to be entitled "An Act to amend Article 3343, Revised Civil Statutes of the State of Texas, relating to limitation of actions for lands, tenements or hereditaments."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Turney:

Senate bill No. 27, A bill to be entitled "An Act making an appropriation to pay mileage and per diem of the presidential electors of Texas."

Read first time, and referred to Committee on Finance.

HOUSE MESSAGES.

Hall of the House of Representatives,
Austin, Texas, January 11, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bills, to wit:

House bill No. 1, A bill to be entitled "An Act appropriating one hundred and ten thousand dollars (\$110,000) to pay mileage and per diem of members and per diem of officers and employes of the Twenty-seventh Legislature."

House bill No. 2, A bill to be entitled "An Act appropriating twenty thousand dollars (\$20,000) to pay the contingent expenses of the Twenty-seventh Legislature."

Senate Concurrent Resolution No. 2:

Resolved by the Senate, the House of Representatives concurring, that a committee of three Senators be appointed by the President of the Senate to act on the part of the Senate with a like committee on the part of the House to arrange for counting the votes for Governor and Lieutenant-Governor, and for the inauguration of said officers.

The House has appointed Messrs. Henderson of Lamar, Thurmond and Mulkey on said committee.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN THE SENATE.

The above reported House bills were read first time, and referred as follows:

House bill No. 1, to Finance Committee.

House bill No. 2, to Finance Committee.

JOINT COMMITTEE APPOINTED.

The Chair announced the following committee to act on the part of the Senate with a like committee on the part of the House to count the votes for Governor and Lieutenant-Governor, and for the inauguration of said officers, as provided for by Senate Concurrent Resolution No. 2: Senators Lloyd, Potter and Turner.

COMMITTEE REPORTS.

By unanimous consent the following committee reports were sent to the Secretary's desk and read:

Committee Room,
Austin, Texas, January 11, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 1, being a bill to be entitled "An Act appropriating \$110,000 to pay mileage and per diem of members and per diem of officers and employes of the Twenty-seventh Legislature,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

WILSON, Acting Chairman.

Committee Room,
Austin, Texas, January 11, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 2, being a bill to be entitled "An Act appropriating \$20,000 to pay the contingent expenses of the Twenty-seventh Legislature,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

WILSON, Acting Chairman.

SPECIAL CLERK APPOINTED.

The Chair announced the appointment of Clyde D. Smith, of Wichita county, as special clerk as provided for by the substituted resolution by Senator Johnson passed on yesterday.

BILLS ON SECOND READING.

Senator Turney moved to suspend the Senate rule requiring committee reports to lay on the table for one day and take up House bill No. 1 (see caption in House message above).

Rule suspended.

On motion of Senator Turney the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its second reading by the following vote:

Yeas—23.

Beaty.	Neal.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Goss.	Sebastian.
Grinnan.	Stafford.
Harris of Bexar.	Staples.
James.	Swann.
McGee.	Turner.

Turney. Wilson.
Wayland. Yett.
Wheeler.

Absent.

Hanger. Lloyd.
Johnson. Odell.

Absent—Excused.

Dibrell. Lipscomb.
Harris of Hunt. Miller.

House bill No. 1 was then laid before the Senate on its second reading.

Bill read second time and passed to a third reading, and, on motion of Senator Turney, the constitutional rule requiring bills to be read on three several days was further suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—23.

Beaty. Potter.
Davidson of Savage.
DeWitt. Sebastian.
Davidson of Stafford.
Galveston. Staples.
Goss. Swann.
Grinnan. Turner.
Harris of Bexar. Turney.
James. Wayland.
McGee. Wheeler.
Neal. Wilson.
Patterson. Yett.
Paulus.

Absent.

Hanger. Lloyd.
Johnson. Odell.

Absent—Excused.

Dibrell. Lipscomb.
Harris of Hunt. Miller.

Bill read third time, and passed by the following vote:

Yeas—23.

Beaty. Potter.
Davidson of Savage.
DeWitt. Sebastian.
Davidson of Stafford.
Galveston. Staples.
Goss. Swann.
Grinnan. Turner.
Harris of Bexar. Turney.
James. Wayland.
McGee. Wheeler.
Neal. Wilson.
Patterson. Yett.
Paulus.

Absent.

Hanger. Lloyd.
Johnson. Odell.

Absent—Excused.

Dibrell. Lipscomb.
Harris of Hunt. Miller.

Senator Turney moved to suspend the Senate rule requiring committee reports to lay on the table for one day and take up House bill No. 2 (see caption in House message above).

Rule suspended.

On motion of Senator Turney, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its second reading by the following vote:

Yeas—23.

Beaty. Potter.
Davidson of Savage.
DeWitt. Sebastian.
Davidson of Stafford.
Galveston. Staples.
Goss. Swann.
Grinnan. Turner.
Harris of Bexar. Turney.
James. Wayland.
McGee. Wheeler.
Neal. Wilson.
Patterson. Yett.
Paulus.

Absent.

Hanger. Lloyd.
Johnson. Odell.

Absent—Excused.

Dibrell. Lipscomb.
Harris of Hunt. Miller.

House bill No. 2 was then laid before the Senate on its second reading.

Bill read second time and passed to a third reading, and, on motion of Senator Turney, the constitutional rule requiring bills to be read on three several days was further suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—23.

Beaty. Potter.
Davidson of Savage.
DeWitt. Sebastian.
Davidson of Stafford.
Galveston. Staples.
Goss. Swann.
Grinnan. Turner.
Harris of Bexar. Turney.
James. Wayland.
McGee. Wheeler.
Neal. Wilson.
Patterson. Yett.
Paulus.

Absent.

Hanger. Lloyd.
Johnson. Odell.

Absent—Excused.

Dibrell. Lipscomb.
Harris of Hunt. Miller.

Bill read third time, and passed by the following vote:

Yeas—23.

Beaty.	Potter.
Davidson of	Savage.
DeWitt.	Sebastian.
Davidson of	Stafford.
Galveston.	Staples.
Goss.	Swann.
Grinnan.	Turner.
Harris of Bexar.	Turney.
James.	Wayland.
McGee.	Wheeler.
Neal.	Wilson.
Patterson.	Yett.
Paulus.	

*Absent.

Hanger.	Lloyd.
Johnson.	Odell.

Absent—Excused.

Dibrell.	Lipscomb.
Harris of Hunt.	Miller.

On motion of Senator Savage, the Senate, at 11:55 o'clock a. m., took a recess until 3 o'clock p. m.

AFTER RECESS.

Lieutenant-Governor Browning in the chair.

The Chair laid before the Senate and had read the following invitation:

THE UNIVERSITY OF TEXAS.

Austin, Texas, January 11, 1901.

To the Hon. J. N. Browning, President of the Senate, Austin, Texas.

DEAR SIR: A cordial invitation is hereby extended to all officers and members of the Honorable Senate of the Twenty-seventh Legislature to visit the University of Texas, that they may become acquainted with the daily work of the institution. The University was founded by the people and for the people of Texas, and the intelligent, wise, and sympathetic direction and co-operation of the representatives of the people are earnestly invoked by the authorities of this institution that it may be made to represent and reflect the highest aspirations, the best thought and noblest achievements of the Commonwealth.

Sincerely yours,

WM. L. PRATHER,
President.

On motion of Senator Paulus, the foregoing was accepted.

COMMITTEE REPORT.

Committee Room,
Austin, Texas, January 11, 1901.

Hon. J. N. Browning, President of the Senate, and Hon. R. E. Prince, Speaker of the House of Representatives.

SIRS: Your Joint Committee appointed to make arrangements to count the vote and to arrange for the inauguration of the Governor and Lieutenant-Governor beg leave to recommend that the House and Senate meet in joint session in the Hall of the House of Representatives on Monday, the 14th day of January, A. D. 1901, at 10:30 o'clock a. m., for the purpose of counting said vote, and that the Senate and House will sit in joint session in the Hall of the House of Representatives on Tuesday, the 15th inst., at 12 o'clock noon, when the joint committee will escort the Governor and Lieutenant-Governor-elect to the Speaker's stand when the oath of office will be administered to them by the Chief Justice of the Supreme Court.

LLOYD,
POTTER,
TURNER,

On part of the Senate.

DECKER,
THURMOND,
MULKEY,

On part of the House.

The report was read, and adopted.

BILLS AND RESOLUTIONS.

By Senator McGee:

Senate bill No. 28, A bill to be entitled "An Act regulating quarantine against dangerous, contagious and infectious diseases."

Read first time, and referred to Committee on Public Health.

BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

House bill No. 1, "An Act appropriating \$110,000 to pay mileage and per diem of members and per diem of officers and employes of the Twenty-seventh Legislature."

House bill No. 2, "An Act appropriating \$20,000 to pay the contingent expenses of the Twenty-seventh Legislature."

On motion of Senator McGee, the Senate adjourned until 10 o'clock a. m. Monday.